

REMARKS

Claims 24, 26-30, and 36-39 are pending in this application.

Applicants have amended claim 24, and have added new claims 36-39. These changes do not introduce any new matter.

Rejection Under 35 U.S.C. § 103

Applicants respectfully request reconsideration of the rejection of claims 24 and 26-30 under 35 U.S.C. § 103(a) as being unpatentable over *Ogiwara et al.* (“*Ogiwara*”) (US 7,161,701 B2) in view of *Smart et al.* (“*Smart*”) (US 2003/0208691 A1). As will be explained in more detail below, the combination of the *Ogiwara* and *Smart* references would not have rendered the subject matter defined in independent claim 24, as amended herein, obvious to one having ordinary skill in the art.

Independent claim 24 defines an image processing method performed by an image supply device storing image data and an image output device operable to perform a print operation in which an object corresponding to the image data is printed. As amended herein, the image processing method defined in claim 24 includes the following features:

- i) a first information item specifying a *plurality of objects allocated in a single page layout* is transmitted from the image output device to the image supply device;
- ii) the first information item is stored in the image supply device;
- iii) when a print operation is interrupted under a condition that at least one of the objects is not completely printed, a failure notification is transmitted from the image output device to the image supply device;
- iv) when the failure notification is received, the image supply device generates, based on the stored first information item, a second information item including a first script configured to resume the interrupted print operation and *a second script specifying one of the objects in the single page layout which is first printed by the image output device*;

v) the generated second information item is transmitted from the image supply device to the image output device; and

vi) the image output device resumes the interrupted print operation *from the specified one of the objects.*

Support for the changes to claim 24 made herein can be found in Applicants' specification at, for example, page 62, line 9, to page 63, line 1. Accordingly, these changes do not introduce any new matter.

The method of present claim 24 addresses the problem that occurs when multiple objects (e.g., multiple images) are being printed as part of a single page layout, and the printing is interrupted such that at least one of the objects is not completely printed. The claimed method generates a first script to resume the interrupted print operation and a second script to specify the object in the single page layout that is first printed. Resumption of printing thereby occurs from the specified object. Thus, instead of simply resuming printing from the point of interruption, which would cause the incompletely printed object to be printed in different parts, or restarting the entire print job, which would cause page-duplication when there are multiple pages, the printing is resumed from the beginning of the page that was interrupted, starting from the object to be printed first in the page layout. Thus, the interrupted page is re-printed so that no objects in the page are broken up, and no additional pages are unnecessarily duplicated.

The *Ogiwara* reference discloses a system that includes an imaging apparatus and a printing apparatus. The imaging apparatus determines the type of photo-direct (PD) printing apparatus that is connected to the imaging apparatus, and selects the type of image data to be output to the PD printing apparatus based on the determination result. The *Ogiwara* reference teaches that when an error causes the printer to abort print processing, the user may

restart print processing, which causes resending of image data in response to the request (see column 14, lines 23-37).

However, *Ogiwara* is silent regarding interruption of printing of multiple objects in a single page layout. *Ogiwara's* restart mechanism does not teach or suggest the claimed second script which specifies one of a plurality of objects that is first printed in a given single page layout of the plurality of objects. Moreover, in the case of a multi-page situation, simply restarting print processing as taught by *Ogiwara* would lead to redundant page duplication.

The *Smart* reference, which discloses a secure pick-up process for sending print jobs across a network, has been cited to show communication between a digital camera and a printer at least a part of which is described by a markup language. Thus, the *Smart* reference does not cure the deficiencies of the *Ogiwara* reference relative to the subject matter defined in present claim 24.

In view of the foregoing, even if the *Ogiwara* and *Smart* references were to be combined in the manner proposed by the Examiner, the result of this combination would not have included each and every feature of the subject matter defined in present claim 24. As such, the combination of the *Ogiwara* and *Smart* references would not have rendered the subject matter defined in present claim 24 obvious to one having ordinary skill in the art.

Accordingly, independent claim 24, as amended herein, is patentable under 35 U.S.C. § 103(a) over the combination of *Ogiwara* in view of *Smart*. Claims 26-30, each of which ultimately depends from claim 24, are likewise patentable under 35 U.S.C. § 103(a) over the combination of *Ogiwara* in view of *Smart* for at least the same reasons set forth above regarding claim 24.

Application No. 10/734,375
Amendment dated July 6, 2009
Response to Final Office Action dated March 4, 2009
(Submitted with RCE)

New Claims

As noted above, Applicants have added new claims 36-39. Each of independent claims 36 and 37 defines an image processing method. Claim 38 defines an image supply device that includes a communication controller configured to execute the image processing method set forth in claim 36. Claim 39 defines an image output device that includes a communication controller configured to execute the image processing method set forth in claim 37.

In the course of drafting independent claims 36 and 37, Applicants included features that are neither taught nor suggested in either the *Ogiwara* reference or the *Smart* reference. Accordingly, claims 36-39 are believed to be patentable under 35 U.S.C. §§ 102 and 103 over the prior art of record.

Conclusion

In view of the foregoing, Applicants respectfully request reconsideration and reexamination of claims 24 and 26-30, as amended herein, as well as examination of claims 36-39, and submit that these claims are in condition for allowance. Accordingly, a notice of allowance is respectfully requested. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at **(408) 749-6902**. If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees to Deposit Account No. 50-0805 (Order No. NGBCP005).

Respectfully submitted,
MARTINE PENILLA & GENCARELLA, LLP



Peter B. Martine
Registration No. 32,043

710 Lakeway Drive, Suite 200
Sunnyvale, California 94085
Customer No. 25920